

PROB 12C
(6/16)

Report Date: November 5, 2024

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Nov 06, 2024

SEAN F. McAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Gregory D. Stewart

Case Number: 0980 2:17CR00055-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99205

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: March 9, 2018

Original Offense: Conspiracy to Commit Child Sex Trafficking, 18 U.S.C. § 1594(c)

Original Sentence: Prison - 102 Months; Type of Supervision: Supervised Release
TSR - 144 MonthsAmended Sentence: Prison - 102 Months;
(November 28, 2018) TSR - 144 Months

Asst. U.S. Attorney: Earl Allan Hicks Date Supervision Commenced: June 16, 2023

Defense Attorney: Justin Lonergan Date Supervision Expires: October 3, 2035

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 05/30/2024 and 09/19/2024.

On October 5, 2023, Mr. Gregory Stewart signed his conditions relative to case number 2:17CR00055-TOR-1, indicating he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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4	Special Condition #4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
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Supporting Evidence: Mr. Stewart is alleged to have violated special condition number 4 by failing to attend urinalysis testing with the contract provider as required on November 1, 2024.

Specifically, on November 4, 2024, the undersigned officer received a text message from Mr. Stewart, who indicated he failed to attend random urinalysis testing with the contract

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provider in Spokane, on November 1, 2024. Mr. Stewart committed to reporting on the day in question for urinalysis testing to address the concern. The undersigned officer subsequently received notification from the contract provider, confirming the subject failed to attend random urinalysis testing with the provider on November 1, 2024, when his assigned color was called.

On November 4, 2024, Mr. Stewart reported to the U.S. Probation Office as directed and provided a urinalysis sample that tested presumptive positive for alcohol. Mr. Stewart indicated he failed to attend urinalysis testing on November 1, 2024, after he returned home from work due to an illness and he then fell asleep.

- 5 **Special Condition #5:** You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Stewart is alleged to have violated special condition number 5 by ingesting alcohol on or about November 4, 2024, based on both urinalysis testing and the subject's admission of such use.

Specifically, on November 4, 2024, Mr. Stewart reported to the U.S. Probation Office to submit to urinalysis testing, following notification from him, and later confirmation from the contract urinalysis vendor, that he had failed to attend random urinalysis testing with the provider on November 1, 2024. Mr. Stewart initially indicated current sobriety, but submitted a urinalysis sample that tested presumptive positive for alcohol. When confronted as to the test result, Mr. Stewart admitted to having ingested two "Truly" alcoholic beverages on or about October 31, 2024.

Mr. Stewart later clarified that he only drank 1 and a half "Truly" beverages, and denied that his use of alcohol was the reason that he had failed to attend urinalysis testing on November 1, 2024. Mr. Stewart also presented with initial confusion when informed that he could not ingest any alcohol at all, although he later confirmed his awareness of the restriction when he chose to drink on October 31, 2024. Mr. Stewart did sign an alcohol use admission form serving to memorialize the disclosure.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 5, 2024

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

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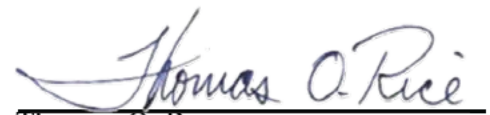
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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge

November 6, 2024

Date